









# FREMONT.

ONLY SEVENTEEN WORKING DAYS

FREMONT

FOR SLAVERY IN THE U. S. SENATE

HIS WHOLE CIVIL LIFE.

TWICE VOTING AGAINST THE ABOLITION

OF SLAVERY,

IN WASHINGTON—THE FEDERAL CAPITAL.

How can we vote against Slavery in a Territory with no express constitutional power, if we cannot abolish Slavery in the Capital, where the Constitution expressly gives Congress a power?

FREMONT was so ultra Southern in 1850, as to refuse to vote to pay an honest debt to the American Colonization Society.

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# ERICKSON

## FREMONT'S PRO-SLAVERY VOTES IN CONGRESS.

MR. FREMONT was in the United States Senate from California, from September 10, 1850, to September 30, when Congress adjourned. Thus he was in civil life twenty days, seventeen of which only were working days. The subsequent short session, he abandoned Washington, to electioneer for his re-election in San José, California, in which he failed, having on the one hundred and forty-second ballot, the concluding one for that year, received only seven votes, as follows:—

T. BUTLER KING,	17
SOLON HEYDENFELDT,	16
JOHN C. FREMONT,	7
J. W. GEARY,	4
J. B. WELLER,	3
JAMES COLLIER,	2

During these his seventeen working days in the U. S. Senate, the Congressional Globe discloses the following facts.

*From the New York Express.*

### FREMONT AND SLAVERY.—No. 1.

#### HIS VOTE NOT TO ABOLISH SLAVERY IN THE DISTRICT OF COLUMBIA.

We intend, in this election,—amid the storm of abuse poured forth against us,—as friends of Mr. Fillmore,—to keep cool,—but, we intend, without fear or flinching,—to publish facts, irresistible, overwhelming facts.

Brevet Col. Fremont is offered to the Abolitionists and anti-slavery men of the Northern country,—though born in South Carolina,—as a better Northern man than Millard Fillmore,—as a truer man to this North country, and to its principles,—and especially, as sounder upon the subject of the abolition of slavery in the Territories of the United States. Now, upon that subject, we have a direct vote from Mr. Fremont, and it is a vote that cannot be got over, or got under, or got round, for it is a vote in opposition to Seward, Hale, and Chase, the fathers of this now Fremont Party; and it is a vote which demon-

strates, that on the subject of slavery, ALL of them now are without any fixed principles.

The 12th of September, 1850, after the passage of the Compromise Bills, (including that of the admission of California,) save one, to abolish the Slave Trade in the District of Columbia, Senator Fremont for the first time in his life, had an official vote to give on the subject of Slavery. Though everybody in Congress knew he was in favor of ALL the Compromise Bills, INCLUDING THE FUGITIVE SLAVE LAW, yet as that act had passed the Senate before the admission of California, the only vote left him on the Compromise Bills, was on that relating to Slavery in the District of Columbia, when his VERY FIRST VOTE was against the abolition of Slavery in that District,—the FEDERAL TERRITORY there,—over which, under the express enactment of the Constitution, Congress has "EXCLUSIVE" jurisdiction!

Well, what did Senator Fremont do? September 12th, 1850, (see the Senate Journal of 1850, p. 626,) he is recorded as voting AGAINST THE ABOLITION OF SLAVERY IN THAT DISTRICT.

September 10th, 1850, Wm. H. Seward introduced, in lieu of the Bill to abolish the Slave Trade in the District of Columbia, the following substitute:—

SECTION 1. SLAVERY SHALL FOREVER CEASE WITHIN THE DISTRICT OF COLUMBIA, AND ALL PERSONS HELD IN BONDAGE THEREIN SHALL BE FREE.

The Secretary of the Interior shall audit and pay to all persons holding slaves within the District at the time that this act takes effect, such damages as they shall suffer by the passage thereof, and the sum of two hundred thousand dollars is hereby appropriated to carry this act into execution, out of any money in the Treasury not otherwise appropriated.

Sec. 2. An election shall be held in the District of Columbia, to ascertain whether this bill is approved by the people. Those who approve the act, shall express their approbation by a ballot containing the words, "Against emancipation in the District." All persons entitled to vote for any municipal office in the District, and all citizens of the United States residing within the District permanently, shall be deemed qualified to vote at such election. Such election shall be held within six months from the passage of this act, and on public notice, of not less than three months, to be given by the Marshal of the District. If a majority of the votes given at such election shall be in favor of this act, it shall go into effect immediately. If a majority of the votes shall be against the same, this act shall be void and of no effect.

The vote on this proposition and substitute was—

AYES—CHASE, (now Governor of Ohio); DODGE, (of Wisconsin, Dem.); HALE, (now, and again U. S. Senator); SEWARD, (of N. Y.); and UPHAM, (of Vt., now dead).

NOES—45, with the whole South, *en masse*—and FREMONT.

The reply to this staring fact is, that such Senators as Baldwin, of Conn., Winthrop, of Mass., and other Northern men, also voted "No," not approving of the course of Senator Seward. This is true, but it is not the less true, that Seward, Chase, and Hale, the fathers of the "Republican Party," who have now given us "Fremont," condemned the votes of these non-Abolition Northern Senators. See the following extracts from the Congressional Globe, 1849-50; Appendix, vol. 22, Part 2d.

## REMARKS OF SENATOR CHASE.

MR. PRESIDENT—It seems to me that a great deal of feeling has been exhibited in this chamber, which the circumstances hardly seem to warrant.

*We have a bill before us which provides for the abolition of the slave trade in this District.* It has been directly said, by the Senator next me (Mr. Mason), that *this is a step towards the abolition of slavery itself*; and gentlemen deceive themselves if they suppose it is the last step. For one, Mr. President, I am prepared to act upon the principle now. I am as well prepared to act now as at any other time. I shall not seek to excuse myself from voting for a proposition *which commends itself to my judgment, on the ground of time, or place, or circumstances.* \* \* \* \* \* The Senator from New York has proposed an amendment. *It is, in my judgment, better than the bill.* \* \* \* \* \* I repeat, that, in my judgment, the proposed amendment is better than the bill as it now stands. *It proposes to do directly and at once what the bill proposes to take the first step in doing.* I see nothing unconstitutional in the mode by which it proposes to reach its object. I do not like the provision for compensation, or that which makes its operative effect depend upon the vote of the inhabitants of the District. But I do not feel myself at liberty to withdraw my vote from the amendment on account of these obstacles.

## MR. SEWARD'S DEFENCE OF HIS OWN BILL.

I submit, sir, that the plan is adequate. It will secure the abolition of Slavery within the District if it obtain the consent of those who are most particularly concerned in the question. I have not learned from either of my honorable friends that he is in favor of emancipating the slaves without the consent of the people in the District, and we have all heard other honorable Senators insist upon it, that that consent is indispensable. I do not insist upon it for myself. I have only surrendered so much to their objections; but if a majority of the Senate should wave the objection it would give me pleasure to modify the plan accordingly.

Secondly, the plan is an adequate one. While it restores to the slave the inestimable right of freedom, it awards to him, who, by authority of Congress, has hitherto held the slave in bondage, a just remuneration and indemnity for his labors. It is, then, adequate and equal.

Thirdly, the plan is not violent, nor capricious, but is deliberate and prudent, for it makes this solemn transaction to depend upon a canvass to be continued not less than three months, nor longer than six months, among the people of the District.

Fourthly, the plan is broad enough. I am informed by what I believe credible evidence that the number of slaves within the District, as ascertained by the census, male and female, old and young, great and small, is about six hundred, and that their value is estimated by those who regard them as subjects of traffic, as I certainly do not, at three hundred dollars for each person, and in the aggregate one hundred and eighty thousand dollars. The amendment appropriates two hundred thousand dollars. If the sum is too great, nothing will be lost. If the sum is too small, the deficiency can be made or afterwards supplied.

## REMARKS OF SENATOR HALE.

MR. HALE. I merely rise to occupy the attention of the Senate a moment to announce my determination to vote for this amendment. In July, 1846, the Legislature of New Hampshire resolved that the Senators and Representatives in Congress from that State be instructed and requested to urge on their respective bodies the passage of measures providing for the extinction of slavery in the District of Columbia, which resolutions were presented to the Senate and ordered to be printed. On the 30th of June, 1847, the same Legislature, in General Court convened, resolved that it regarded the institution of slavery as a moral, social and political evil, and as such they deeply regretted its existence, and

were willing to concur in all reasonable and constitutional measures that might tend towards its removal. And they further—

“Resolved, That our Senators be instructed, and our Representatives be requested, by all expedient and constitutional means and measures, to sustain the principles herein above set forth.”

Sir, there is no time like the present, no opportunity like the one which now presents itself. There may have been other opportunities, but they have passed away, and what the future may offer God only knows. *I know no time but the present, and I am desirous to seize upon the present occasion to record my vote on the Journals of this body in favor of the abolition of slavery in the District of Columbia.* And I desire a full share of all the odium which belongs to the advocacy of a sentiment so abhorrent as that. I do not know whether the Legislatures of any other of these thirty-one States have spoken on the subject, and I do not care. Other gentlemen may look to their own constituents, and I will look to mine. I do not know whether any other free State of the Union has spoken on this subject, nor do I care. It is enough for me that the Legislature of the State which I have the honor to represent in part, has spoken these sentiments, which accord with my own convictions. That, sir, is enough for me on the present occasion.

And now, sir, I desire to throw out a suggestion to the Senator from Massachusetts, (Mr. Winthrop). I ask him whether, if the amendment proposed by the Senator from New York is preferable to the bill as it now stands, and as it has been amended by the vote of the Senate, *if this is not the time to offer it as a substitute for the bill as it stands?* Certain amendments have been made in the bill, and Senators who prefer it to the amendment can vote against the amendment, and those of us who think that this amendment is better than the bill as amended will vote for it. I do not know of any other way to get rid of the bad than by voting for that which is better. *I believe that this amendment is better than the bill, and therefore I shall vote for it.* I speak, sir, for the State that I in part represent. I believe that the people and their representatives in the Legislature are in earnest, and I believe they mean what they say *when they say that slavery ought to be abolished in this District.* And I believe, sir, that it is our duty to abolish it; and believing that, I believe too that it is our duty to do it, and I desire to do it now. Sir, I am rejoiced at the opportunity which is offered me to-day of recording my vote in favor of this proposition. Having said thus much, I will not longer detain the Senate.

The great States of New York and Ohio, and the lesser State of New Hampshire, are now pricked and pressed,—into rejecting a true North man like Mr. Fillmore,—in order to substitute in his place, the Senator Fremont, who voted against the pith and principle of the main thing the anti-slavery men pretend to be contending for, viz: the abolition of slavery in the *territories* of the United States,—one of which, and the only one of which Congress, by especial grant and compact, has “exclusive” power over,—being the District of Columbia!

Now we submit with Senators Hale, Chase, and Seward,—that if Congress has power to abolish Slavery in the Federal authorities,—(a power *not* expressly granted by the Constitution,)—it has, *a fortiori*, power to abolish slavery in the Federal Capital, over which the Constitution expressly gives it exclusive jurisdiction, and that the failure of Fremont to exercise that power *there*, is condemned by the Senator from New York, the Senator from New Hampshire, and the now Governor of Ohio.

## FREMONT AND SLAVERY.—No. 2.

## FREMONT'S SECOND VOTE AGAINST THE ABOLITION OF SLAVERY IN THE DISTRICT OF COLUMBIA.

We showed in our last, that Fremont, when Senator, voted against the Bill presented by Senator Seward to abolish Slavery in that Territory of the United States known as the District of Columbia. We now proceed to show that vote was no accidental nor hasty resolution of his, but a deliberate and fixed opinion, against the right or power of Congress there to abolish Slavery.

September 16th, 1850, the following proceedings appear in the Congressional Globe:—

## BILLS INTRODUCED ON LEAVE.

Mr. PRATT asked and obtained the unanimous consent of the Senate to introduce a bill to prevent enticing or assisting slaves to escape from their owners in the District of Columbia, and for other purposes; which was read, and passed to a second reading.

Mr. PRATT asked that the bill have its second reading now.

Mr. HALE and Mr. SEWARD having objected, the motion could not be entertained.

September 18th, 1850, the following proceedings occur:

## ENTICING SLAVES FROM THE DISTRICT.

Mr. PRATT. I ask the Senate now to take up a bill introduced a day or two since, to prevent the enticing or assisting of slaves to escape from their owners in the District of Columbia, and for other purposes, that it may have a second reading.

Mr. HALE. Mr. President, I agree to a great extent in the remarks made by the honorable Senator from Kentucky [Mr. Clay]. The whole country is now at peace. (Laughter.) I thought we had done with these agitating questions. We have just refused to allow the honorable Senator from Ohio [Mr. Chase] to introduce a bill. I do hope the time has come when these "aggressions" and "agitations" should cease. (Laughter.) I hope we have arrived at that time. I trust that the Senate will not take up and debate another of these distracting and aggressive measures, to wound the sensibilities of gentlemen here by a discussion on this subject. I hoped we had got through with these matters.

Mr. CLAY. One word only, sir. I consider the passage of this bill as part of that great system of policy which has for its object peace and quiet. I agree entirely with the Senator that we ought to put an end to all these "aggressions." This bill purposes to put an end to an aggression. If the Senator will only agree that this aggression shall terminate—if he will enter into bond and security that no more slaves shall be stolen from the District of Columbia—I presume gentlemen will not ask for the passage of this bill.

Mr. Cass. Mr. President, I desire to say one word. I am not at all afraid of discussions on this matter. It is the last expiring effort to raise a party in this country. I do not believe that any party could now be built up in relation to this question of Slavery. I think the question is settled in the public mind. I do not think it worth while to make speeches upon it.

Mr. GWIN. Will the Senator from Maryland withdraw his motion, in order to allow me to introduce a bill of which I have given notice?

Mr. PRATT. I cannot withdraw my motion, lest I should not have a chance to renew it. If there is to be a contest on this subject, I shall call for the yeas and nays on my motion.

Mr. WALKER. If Senators cannot have the privilege of using the morning hour for the ordinary morning business, I should like to know it. I shall concur in taking the yeas and nays.

Mr. CHASE. Mr. President, what is the question before the Senate? Is the question upon taking up the bill of the Senator from Maryland [Mr. Pratt]?

The PRESIDENT. That is the question. But the merits of that bill are not open for discussion.

Mr. CHASE. I withdrew, a moment since, in deference to what seemed to be the general desire of the Senate, that no further discussion should take place upon questions of this character, a bill which I regard as infinitely more important than that of the Senator from Maryland. If it be the pleasure of the Senate now, to be indicated by the vote to take up this bill, and protract discussion upon these questions to the hindrance of other business, I shall feel it my duty again to ask leave to introduce that bill. I know no reason why the security of Slavery in the District of Columbia should be preferred to the security of freedom in the Territories.

The honorable Senator from Kentucky tells us that this is a part of the scheme of adjustment, and that, therefore, it ought to be taken up for consideration. If it be a part of that scheme, it has recently been adopted as such. It received no consideration, so far as I am aware, from the Committee of Thirteen. It was brought in by the Senator from Maryland, and affects this District only. It is a measure which has never been called for by the people of this District, during the fifty years that Slavery has existed here by Act of Congress.

Mr. PRATT. I call the Senator to order.

The PRESIDENT. The Senator must confine himself to the subject under consideration, which is—Shall the bill of the Senator from Maryland be taken up for consideration?

Mr. CHASE. I am urging reasons why it should not be taken up, and I have only followed the course of the Senator from Kentucky.

I deny, sir, that this bill is a part of the scheme of compromise and adjustment, because it has never received the consideration of the committee which was appointed to consider the questions relating to Slavery. The honorable Senator from Kentucky has said that all these questions are settled. Some of them are, indeed, settled. The question of the Texan Boundary is settled, contingent only upon the acceptance of Texas, which I apprehend will be given very promptly. The question of the admission of California is settled. The question of Slavery in the Territories has been avoided. It has not been settled.

The PRESIDENT. The Chair must interfere. The Senator is not speaking to any question before the Senate.

Mr. CHASE. I am pursuing the line of remark which the Senator from Kentucky adopted. If that be out of order, I shall submit.

Mr. CLAY. The Senator should recollect that the question is on the second reading of the bill—a mere matter of form.

The motion of the honorable Senator from Ohio [Mr. Chase] was to introduce a bill, and therefore the whole subject was fully open for discussion. The motion now is simply to take up a bill, as a matter of form, to give it a second reading; and it ought to be recollected by the Senator from Ohio that, when it was proposed the other day, according to almost invariable custom, to give this bill its second reading, it was objected to by the Senator who now sits before me [Mr. Hale]. This is merely a question of form. It comes up regularly for its second reading; and, when it is taken up, it will be in order to make objections to and discuss it.

Mr. HALE. I wish to say a single word in answer to the honorable Senator from Kentucky [Mr. Clay]. The Senator suggests that the other day I objected to the second reading of the bill, which is merely a matter of form. It is true that I did object; and now I want to mention another fact: when a motion was made fifteen minutes ago to introduce a bill—a thing which I have never heard

objected to during all the time I have been in Congress, in either House—the Senator from Kentucky objected, and called for the yeas and nays upon it; so that, if mine was an offence, I should think his must be *magnum scandalatum*, or something worse, because it is an every-day thing to object to a second reading, but to object to the introduction of a bill, is certainly a very extraordinary one.

The motion to take up the bill was carried on a division—ayes 26, noes not counted.

The bill was then read a second time, and considered as in Committee of the Whole. It is as follows:

“And be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, if any free person or persons within the District of Columbia shall entice or induce, by persuasion or other means, any slave or slaves to run away from his, her, or their owner or lawful possessor, or shall in any manner aid, abet, or assist any slave or slaves in running away or escaping from the owner or possessor of such slave or slaves, or shall harbor any slave or slaves with the intent to assist him, her, or them to escape from the service of such owner or possessor, such person or persons shall be liable to indictment in the criminal court of the District of Columbia, and upon conviction, by verdict, confession, or otherwise, shall be imprisoned in the penitentiary for any period not exceeding five years.

“SEC. 2. And be it further enacted, That in case any slave or slaves so induced, persuaded, or enticed to run away, or assisted in running away, or harbored with the intent to assist him, her, or them in running away, or escaping from service, shall actually run away and escape from the service of the lawful owner or owners, any person convicted as aforesaid of such enticing, persuading, assisting, or harboring, shall also be sentenced by the said court to pay to the owner of said slave or slaves the value of the same to be assessed and determined by said court, to be recovered by execution as in cases of other judgments.

“SEC. 3. And be it further enacted, That each of the corporations of the cities of Washington and Georgetown, and the levy court of Washington county, respectively, shall be, and they are hereby invested with the power, by police regulations, not inconsistent with the Constitution and laws of the United States, to prohibit the coming of free negroes to reside within their respective jurisdictional limits, and to remove therefrom such as may come within those limits contrary to such prohibition, and to regulate the behavior of those now residing or who may be permitted hereafter to reside therein, and to enforce such removal, or a compliance with such regulations, by fine not exceeding two hundred dollars, and imprisonment at labor not exceeding six months, or either, at their discretion.”

Mr. CLAY. I do not wish to take up the time of the Senate at all upon the subject of this bill; but I propose to strike out the third section, which excludes free persons of color from this District. I have no doubt that they have been increasing a great deal, and that something ought to be done. But before we drive them away we should ascertain where they are to go, and where they can go. The subject ought to be taken up and most deliberately examined, and some provision made, in the spirit of the age and of humanity, in reference to persons of color. The other provisions of the bill, if that is stricken out—

Mr. PRATT. If the Senator will permit me to interrupt him, I will say that I think he misapprehends the section of the bill to which he refers. The retrospective action of this section has been altered.

Mr. CLAY. Ah! indeed.

Mr. PRATT. It is only to prevent free negroes coming into the District hereafter.

Mr. CLAY. Very well. Then I agree to it, and withdraw my motion to strike out.

The motion was accordingly withdrawn.

Mr. HALE. I rise now to make a motion for the special benefit of those of my

friends that are in favor of abolishing slavery in the District of Columbia, but who have been waiting for a good time and an appropriate measure by which it may be done. I do not propose to trust myself with the details of such a measure, but I propose to give those gentlemen a fair chance of expressing upon the record what their sentiments are, untrammeled by any "inexpedient" and "indiscreet" details; and in order to give the largest scope for discretion,

*I move that the bill be committed to the Committee on the District of Columbia, with instructions so to amend it as to abolish slavery in the District of Columbia.*

On that motion I ask for the yeas and nays.

Mr. CLAY. Then I hope we shall have them without discussion.

Mr. HALE. I hope so too.

The yeas and nays were ordered, and being taken, resulted as follows:

YEAS.—Messrs. Baldwin, Chase, Davis of Massachusetts, Dodge of Wisconsin, Ewing, Hale, Hamlin, Seward, and Winthrop—9.

NAYS.—Messrs. Atchison, Badger, Barnwell, Bell, Benton, Bright, Butler, Cass, Clay, Cooper, Davis of Mississippi, Dawson, DAYTON, Dickinson, Dodge of Iowa, Douglas, Downs, Felch, Foote, FREMONT, Gwin, Houston, Hunter, Jones, King, Mason, Morton, Norris, Pratt, Rusk, Sebastian, Shields, Smith, Soulé, Spruance, Sturgeon, Turney, Underwood, Wales, Whitecomb, and Yulee—41.

So the proposition to commit the bill was rejected.

There! There! You have ~~the~~ DAYTON and FREMONT voting with "the doughfaces," Dickinson, and Douglas, and Cass, against—

~~the~~ BALDWIN of Conn.

~~the~~ DODGE of Wis.

~~the~~ CHASE of Ohio.

~~the~~ EWING of Ohio.

~~the~~ DAVIS of Mass.

~~the~~ HALE of N. H.

~~the~~ HAMLIN of Me.

~~the~~ SEWARD of N. Y.

~~the~~ ROBERT C. WINTHROP, of Mass. ~~the~~

Digest this, gentlemen "Republicans," and then we will proceed further.

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## FREMONT AND SLAVERY.—No. 3.

### FREMONT AGAINST THE AMERICAN COLONIZATION SOCIETY.

THERE are two classes of men in the United States, that have, for thirty years, thrown all possible obstructions in the way of the American Colonization Society,—the first, the Garrisons, the Wendell Phillips, and others, of the North,—its old Abolitionists—and the second, the Fire Eaters, the Nullifiers, and the ultra Pro-Slavery men of the South. The Garrisons of the North have urged, not transportation *from* home, but equality and fraternity *at* home for the African,—and the Fire Eaters of the South have denied the authority of Congress or of the people North or South, directly or indirectly, to interfere with slavery, *as it exists*. To hold out Liberia for colored freemen, they have reasoned, is to dis-satisfy the American slave with his slavery.

Well, Mr. Fremont came into the U. S. Senate September 10, 1850, and Congress adjourned Sept. 30, 1850, and he was there twenty days, three of which

were Sundays, when the Senate did not sit,—and hence he was an acting Senator but seventeen days. In these seventeen days, we have shown how this "Freedom" candidate for the Presidency twice voted against all of his present associates, against "Freedom" in the Capitol of the United States,—that is, "Freedom" in the District of Columbia,—but we now proceed to set forth a vote, in intent and spirit, in the *animus*, more "pro-slavery," by far, than his two votes against the abolition of slavery in the District of Columbia

#### LOOK AT THE RECORD.

[From the Congressional Globe, Vol. 21, part 2d, pp. 1803, &c.]

Mr. Underwood, of Kentucky, called up the bill for the relief of the American Colonization Society. The slaves that were recaptured on the bark Pons were turned over to the Colonization Society, by the authority of the United States, sent to Liberia, and there kept at the expense of the Society for one or two years. Most of them were children of twelve, fifteen, and sixteen years of age. The Society thinks that the expense of feeding, clothing, and educating these people, which was thus devolved on them by the action of the Government, ought to be repaid them. It was certainly an expense incurred by the Society, through the action of the Government in throwing these young negroes upon them for maintenance, instead of taking them, as the Government was bound to do by law, and providing for them. That is the nature of the claim. They simply ask that so much shall be paid them as the Society, from its own experience, pays in reference to its own emigrants. The claim was reported upon favorably two years ago. A similar report has again been made; and as the necessities of the Society require that they should have the money, I hope, said Mr. U., the Senate will consent to take up the bill. The Senate agreed to take up the bill, and proceeded to consider it as in Committee of the Whole.

Mr. Turney asked for the reading of the report of the Committee.

The Secretary read the report accordingly. It sets forth that a liberal construction of the act of Congress of March 3, 1819, would require that the Government should provide for the support of these recaptured Africans for a reasonable time after they had been landed in Liberia, and that it is beneath the dignity of the Government to devolve this duty upon the society. The petition of the executive committee of the society, which the committee incorporated in their report, states that on the 16th of December, 1845, the United States ship Yorktown, Com. Bell, landed at Monrovia, Liberia, from the slaver Pons, seven hundred and fifty recaptured Africans, in charge of the agent of the United States for recaptured Africans, in a naked, starving, and dying condition, all of them, excepting twenty-two, being under the age of twenty-one. The United States made no provision for their support, after they were landed. By the construction given to the Act of 1819 by President Monroe, the United States were bound to support these recaptives, but by a narrow construction given to the act subsequently, a contrary course was pursued, and the government was considered to have discharged its duties under the act on landing them in Liberia. In the support, education, &c., of these seven hundred and fifty persons a large expense was devoted upon the society, which they ask shall now be refunded to them. The society state that it costs them \$30 per head to provide for each colored emigrant from the United States, and they therefore consider the sum at \$50 per head, for educating, clothing, and feeding these savage children until they were able to sustain themselves, to be but a reasonable compensation. These services were not required to be performed by the society, under their constitution, but the alternative was to leave these recaptured Africans to starve and die, and the society therefore cheerfully took charge of them, relying upon the government of the United States to refund the cost to them.

The vote to pay the Bill as recorded [see Senate Journal, 1850, Sept. 11] was as follows:

## AYES, 29.

Badger, of North Carolina,  
 Baldwin, of Conn.,  
 Bell, of Tenn.,  
 Chase, of Ohio,  
 Clayton, of Del.,  
 Davis, of Mass.,  
 Dodge, of Wisconsin,  
 Dayton, of N. J.,  
 Dodge, of Iowa,  
 Douglas, of Illinois,  
 Ewing, of Ohio,  
 Felch, of Michigan,  
 Greene, of R. I.,  
 Hale, of N. H.,  
 Hamlin, of Me.,  
 Jones, of Tenn.,  
 Mangum, of N. C.,  
 Pearce, of Ind.,  
 Pratt, of Ind.,  
 Seward, of New York,  
 Shields, of Illinois,  
 Smith, of Conn.,  
 Spruance, of Indiana,  
 Surgeon, of Penn.,  
 Underwood, of Ky.,  
 Wales, of Delaware,  
 Walker, of Wisconsin,  
 Whitcomb, of Indiana,  
 Winthrop, of Mass.,

## NAYS, 16.

Atchison, of Missouri,  
 Barnwell, of S. C.,  
 Benton, of Missouri,  
 Butler, of S. C.,  
 Dawson, of Geo.,  
 Dickinson, of N. Y.,  
 Downs, of Iowa,  
~~✓~~ FREMONT, of Cal.,  
 Hunter, of Va.,  
 King, of Alabama,  
 Mason, of Va.,  
 Rusk, of Texas,  
 Sebastian, of Arkansas,  
 Soulé, of Louisiana,  
 Turney, of Tenn.,  
 Yulee, of Florida,

Here, with the exception of Dickinson, are only ultra Southern men, and how Dickinson came in such company we cannot understand. Dayton, Seward, Hale, Chase, all vote right, and vote aye, and also moderate Southern men,—but FREMONT is recorded with Soulé,—with the “Border Ruffian,” ATCHISON,—with Butler and Barnwell, of S. C.,—in short, with the most ultra pro-slavery elements of the Southern country!

To excuse and to palliate this extraordinary vote, upon which by the way, even Seward, Hale, Chase and Dayton put the seal of reprobation at the time,—the Seward organs now allege,—that the vote was not because of hostility to the Colonization Society, but because Mr. Fremont did not think the money due! His present associates in politics all thought it was due,—and, also, all moderate Southern Senators—as we shall proceed to show,—but the real fact is—that Col. Fremont came to the U. S. Senate in 1850,—an ultra South Carolina pro-slavery man,—and hence with the fire-eaters of South Carolina,—in utter hostility to the American Colonization Society, and also its efforts in Liberia.

## LOOK AT THE DEBATE.

(From the Congressional Globe—Vol. 21, part 2, pp. 1803, &amp;c.)

MR. TURNER. I am not able to perceive that there is any constitutional power on the part of Congress to appropriate the public money to any such purpose as this. But if there were no doubt about the power, as a matter of policy and expediency, I am opposed to it. It seems that this Colonization Society—a charitable Society as I supposed—undertaking to raise and collect funds for the purpose of benefiting a certain class of human beings, have gone on and made a large expenditure in supporting certain Africans, in Africa, and they now come forward and say that it is wrong that they should have incurred this expense and ask this government to indemnify them, by refunding the money they have thus expended, or perhaps double the amount, for the amount is to be settled on principles of equity, not to exceed fifty dollars per head. This seems to me to assume a very great stretch of power in Congress, and aside from that it seems to be a principle which should never be sanctioned by this body. Shall the self-appointed agents of this Government—the Colonization Society,—be permitted to expend money as they please, and then present it as a claim to Government? If this precedent shall be sanctioned, who can tell where appropriations for this class of expenditures will end? They may go on exporting free negroes to Africa, which I believe is their proper business, and after they have supported them there for a year or two, claim under this precedent to have the cost refunded to them, by this Government, and in this indirect way establish a hold on the Treasury for the furtherance of their policy and the development of their philanthropy. I do not know that any resistance of mine can be effectual in opposing a policy of this description, but I am opposed to it on every principle of justice and right. And if we had the constitutional power, which I doubt, I am opposed to the bill in its present shape from the fact that it does not specify the precise amount to be appropriated, but leaves it to be gathered from accounts and documents which Congress cannot readily examine. All I can do is to present these objections, and ask for the yeas and nays, which, I hope, the Senate will grant to me.

MR. UNDERWOOD, of Ky. I shall regret very much if we shall be involved in any discussion on this subject, and what I have to say shall be very briefly said. In reference to the main objection of my friend from Tennessee, I admit that the appropriate duty of the Colonization Society is to transport free people of color from this country to Africa. I admit, too, that their means of accomplishing that object, depend entirely on private charity and individual contributions. But conceding all this, I ask my friend from Tennessee what right the Government has to throw into this colony seven or eight hundred children, who were recaptured under your anti-slave trade laws on the high seas, and leave them to be supported at the expense of this charitable private institution, if you please so to call it? It is one of the essences of private charities that the donor shall control his own funds and apply them according to his own views of benevolence; but here, by this conduct on the part of the Government, you throw into the Colony of Liberia these recaptured Africans, who do not fall within the scope of the object of this charity, and then leave them there to starve, or compel the Colonization Society to feed, keep, and educate them, and to bring them up. I ask the Senator what right the Government has to act in that way towards a private charity, and thus to burden individual means which are raised for other purposes? The act of 1819 provides that this Government shall provide for the maintenance, support, and transportation of the recaptured Africans beyond the limits of the United States. President Monroe gave that act a construction which authorized the payment of their expenses after they were landed abroad; but subsequently a narrower construction has prevailed, and it has been held that the Government is only bound to support, maintain, and keep them until they are landed in Africa, without making any provision for their future support after they shall have been thus landed. The whole case is in a nutshell. These negroes were recaptured, sent to Africa, and

turned loose there, and this society was compelled to see them starve, or feed them ; to let them go naked, or clothe them ; they preferred to feed and clothe them, and under these circumstances, they applied to the Government, as an act of benevolence and generosity—no, sir, as an act of justice—to make some remuneration for the expense thus incurred. Now, as to my friend's objection to the amount : The Committee were satisfied that the society, as is stated in their memorial, usually expended about thirty dollars per head for its own emigrants, under favorable circumstances ; but in this case the claim was to the extent of fifty dollars per head. The reason for this increased amount is in the fact that they were naked savages, unable to speak the language, and not able to support themselves. This is not the case in regard to their own emigrants, who being free people of color of the United States, are more civilized, reach there better provided, and in the course of a few months generally are able to maintain themselves. In consequence of this difference in the condition of the emigrants, the society have claimed the addition of twenty dollars, and the committee have thought proper, under all the circumstances, to leave the matter to be determined by the department, with a limitation that the amount appropriated shall not exceed the sum of fifty dollars per head. It seems to me, that with this provision the bill is amply guarded. If the Senator from Tennessee thinks the amount limited is too high, let him move to reduce it. I should deprecate a motion of the kind, to be sure, for thirty dollars is about the expenditure which experience has proven to the society is required for their own emigrants under circumstances the most favorable. The object is to leave it to the Government, on investigation, to determine whether they will go a little beyond the amount in that case.

Mr. TURNER, of Tenn. I have no disposition to make any motion to amend this bill, for I am opposed to the principle of it in every form. The proposition to refer to an accounting officer to determine the amount, and the limitation to fifty for each person, only shows that the society desires to obtain, and no doubt would obtain, out of the Treasury a much larger amount than they in fact expended. However, that is a small objection to the bill. THE OPPOSITION WHICH I HAVE TO IT IS TO THE PRINCIPLE OF THE BILL ITSELF. I deny the power of Congress to appropriate money for any such purpose as the colonization of Africans. These Africans, being recaptured, were taken back to their own country ; the power of this Government over them was then exhausted, and if it was not exhausted, the policy of this Government, so far as it should act at all, was exhausted. There was no obligation on this Government to support these Africans a single day after they were returned to the shores of Africa. I oppose the principle of any society who undertakes to act in matters of this description, and then, under the claim of being charitable persons, comes forward and asks an indemnity from the Government to reimburse the amount which they have expended. I am willing that those who choose should organize themselves into a society, under the name of a colonization society, or any other which they choose to adopt, and expend as much in charity as they choose, either upon the blacks or any other class of people ; but let them not come here afterwards and ask to be reimbursed by the Government for the money thus expended. I deny the power of the Government to do any such thing, and I protest against such a policy or any such expedient.

Mr. DOUGLAS, of Illinois. I have not heard the entire debate on this question, but if I understand it, it is to refund to the Colonization Society certain money's which they have expended in providing for and taking care of a number of recaptured Africans. I believe that we have a law providing that when slaves are recaptured they shall be taken back to the coast of Africa ; and we have also our agent there to receive them ; but we have made no provision for their support after they are landed on the coast ; and it was necessary, in this case, that this society should feed and clothe these negroes, or allow them to starve. In doing this, the Colonization Society expended a large sum of money, and I understand that the proposition in this bill is to refund the amount. The bill is the same proposition which I made two years ago, and I hope it will be adopted.

Mr. UNDERWOOD. It has been intimated to me that there is a provision in this bill which may be misunderstood, and which might be taken to imply what is not intended to be implied. The bill proposes to make a provision for all the supplies which were furnished them, for their education and for medical attendance, and also for lands given them. It is known that the Colonization Society gave a small tract of land to each of the emigrants to Liberia. This "medical attention" which is provided for is that which was necessary while these children were being acclimated. The other item of expense was for their education in the free schools. Now, if it be the pleasure of the Senate to strike out so much of this provision as relates to the land to be given, and the education of these children in the free schools, let it be done. But I think that the cost of medical attendance during the process of acclimation, and of the food and raiment which were necessary, should be allowed. I am disposed to strike out that clause of the section which relates to education and to lands. I will move, therefore, to strike out the words "for their education" and "for lands given them."

The two amendments were agreed to.

There being no further propositions to amend the bill, it was reported to the Senate, and the amendments made as in Committee of the Whole were concurred in.

The President stated the question now to be on ordering the bill to be engrossed for a third reading.

Mr. Turney demanded the yeas and nays, which were ordered.

Mr. HUNTER. I think that this bill should lie over, because, so far as I understood the Senator from Kentucky, it appears to be laying the foundation of a very important system of policy. It seems that we are to keep our squadron on the coast of Africa to recapture Africans, and then to colonize and maintain them. Before we undertake to do any thing which involves any such policy as this, I think we ought to look to the consequences, and to inquire also whether we have the power to establish a colony on the coast of Africa, and afterwards to vote money for its maintenance. If we can do so in this case, it appears to me that we would be equally authorized to establish there a colony of our own free negroes. I see no difference between the two propositions; and I hope, therefore, that sufficient time will be given to enable us to look into this matter, as it seems to be the foundation of a new system—the establishment of a principle which is to commit us to a system of colonization on the coast of Africa. I move that the bill be postponed—not indefinitely—but that for the present it be laid on the table.

The question being taken, the motion to postpone was rejected—ayes 18, noes 23.

Mr. BUTLER. I have not heard the remarks which have been made, or any portion of the discussion which has taken place upon this bill, but it seems to me it is making the United States, which is an organized Government of different States, underwriters to a voluntary association of men who choose to dictate a policy which perhaps the Government would never have sanctioned. I cannot understand how we are going to make ourselves underwriters for the losses of a society which may embark in any schemes of this kind. It does look to my mind the broadest proposition that has been presented here, and I must say that I cannot sanction it.

Mr. UNDERWOOD. From the remarks made by my friend from South Carolina, I think he certainly could not have heard the facts as they were related in this case. Those persons were captured upon the high seas as slaves, and were about to be brought to America in violation of our anti-slave law. They were sent to Liberia and turned loose there; and this was done at the instance of the Government, and the Government ought to have exercised the common duties of humanity.

Mr. WHITCOMB. I think that some gentlemen are laboring under a misapprehension upon this subject. This cannot be tortured into an effort on the part of the General Government to colonize negroes from the United States in Africa.

These negroes never were in the United States; they were captured on the high seas by our naval forces, under a law or rather a treaty for the suppression of the slave-trade, and they were sent back to Africa and left in a state of total destitution, an expense to the colony of Liberia, or rather to the Colonization Society. Now, if the view taken by the gentleman from Virginia (Mr. Hunter) is correct, that this is indirectly favoring colonization on the part of the Government of the United States, I would suggest to him that the best way of remedying that would be to take steps to set aside the treaty; for the question now is simply, will the Government repair a manifest wrong which they have done to individual interests? They have captured these negroes on the high seas; and they have sent them to the colony of Liberia, and it was simply a question of the common claims of humanity whether these creatures should be suffered to die there for want of food and protection, or whether they should be cared for. The Colonization Society, or its agents, not deaf to the dictates of humanity, extended the necessary relief to the sufferers. A burden was thus cast upon them by the Government, not at their instance, but contrary to their wishes. The sending of these negroes to Liberia comes within no part of the original policy of the society, which was to colonize blacks, not from Africa or other quarters, but from the United States. The object of the treaty was to break up the slave-trade, and that is not accomplished merely by the capture of the slaver. The rescued slaves must be returned to their own country, and subsisted in the mean time, which, it seems, was not done in this case by the Government; but the latter duty, at least, was devolved on the society against its will, and to its great expense. The present bill proposes simply to remunerate the society the expenses thus unwillingly incurred—not to advance moneys for colonization objects in the future, but to repair a wrong already inflicted. To refuse this relief would be, in effect, to divert the funds of a society, founded in the noblest impulses and principles of our nature, against the manifest intention of its donors.

Mr. BUTLER. The facts stated by the Senator from Kentucky (Mr. Underwood) and confirmed by the Senator from Indiana (Mr. Whitcomb), so far from having any effect in changing the impression made upon my mind before, would seem to lead to a stronger opposition to this act. Why are the United States, as a matter of humanity, to take charge of these children, and to put them under the care of their friends? I understand that they were placed under the protection of the common law of civilization; that is, the Government, by its agents, placed them upon the shores of Africa, and left them to the charity and humanity of those who were there to take care of them. Sir, if a number of persons were cast ashore opposite the city of New York, or Philadelphia, or Baltimore, or Charleston, or elsewhere; who would take charge of them? The Government? Certainly not; but the municipal authorities of these places. It may be that the Colonization Society has not funds to do this in this case, or that the people of Liberia had not. I must say, however, that I cannot understand this bill in any other sense than as proposing that we should become the guardian of negro children.

The question was then taken on the engrossment of the bill for a third reading, and resulted as above stated.

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